

REMARKS

Upon entry of the foregoing Amendment, claims 31, 34-37, 39, 41, 46, 49-53, 55, and 59-77 are pending in the application. Claims 31, 34-37, 39, 41, 46, 49-53, 55, and 59 have been amended. Claims 32-33, 38, 40, 42-45, 47-48, 54, and 56-58 have been cancelled. Claims 60-77 have been newly added. Applicant believes that this Amendment does not add new matter. In view of the foregoing Amendment and the following Remarks, allowance of all the pending claims is requested.

EXAMINER INTERVIEW

Applicant thanks Examiner England for granting Applicant's representative the courtesy of a personal Examiner Interview on August 3, 2009. During the Examiner Interview, Applicant's representative discussed potential amendments to the claims in light of the Board Decision, as set forth below in further detail.

BOARD DECISION

A. REJECTION UNDER 35 U.S.C. § 102

The Board has affirmed the Examiner's rejection of previously pending claims 31-32, 34-36, 38-43, 45-47, 49-51, 53-57, and 59 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,233,449 to Glitho et al. ("Glitho"). Applicant initially notes that claims 32-33, 38, 40, 42-43, 45, 47-48, 54, and 56-57 have been cancelled as indicated above, and therefore the rejection has been rendered moot with respect to these claims. In addition, Applicant further notes that independent claims 31 and 46 have been amended as indicated above, and submits that Glitho does not anticipate currently pending claims 31, 34-36, 39, 41, 46, 49-51, 53, 55, and 59 for at least the reason that Glitho fails to disclose each and every feature of the claimed invention, as amended.

More particularly, Glitho does not disclose at least the feature of "executing one or more data mining algorithms that discover respective influences that each of the plurality of measured component parameters have on the service parameter, wherein the respective

influences represent relationships between the state of the service and the plurality of network components that support the service,” as recited in amended independent claims 31 and 46, for example. Rather, as noted in the Board Decision, Glitho generally relates to a system in which a network management system analyzes raw data received from various network elements to determine whether quality of service (QoS) degradation in a network exceeds a particular threshold. Board Decision, pages 5-6.

However, although Glitho describes a trouble sniffer that can detect the cause of QoS degradation, Glitho does not disclose that such detection involves “executing one or more data mining algorithms that discover respective influences” that the raw data received from each network element has on a “service parameter that represents the state of the service.” For example, independent claims 31 and 46 have been amended to further clarify that “determining the state of the service includes mapping the plurality of measured component parameters to a service parameter that represents the state of the service,” with the state of the service indicating “whether the service conforms to an agreed upon service level identified in a service level agreement.” As a result, one or more data mining algorithms may be executed to discover various “respective influences [that] represent relationships between the state of the service and the plurality of network components that support the service.”

Consequently, Glitho fails to disclose each and every feature of amended independent claims 31 and 46 for at least the reason that Glitho does not disclose or otherwise describe executing one or more data algorithms to discover respective influences that various component parameters have in a function for “mapping the plurality of measured component parameters to a service parameter that represents the state of the service.” In fact, the Board has expressly acknowledged that “Glitho does not describe mapping a component parameter to a service parameter.” Board Decision, page 13. Accordingly, for at least the foregoing reasons, Glitho fails to disclose each and every feature of amended independent claims 31 and 46. Applicant therefore requests that the Examiner withdraw the rejection of these claims.

Claims 34-36, 39, 41, 49-51, 53, 55, and 59 depend from and add features to one of amended independent claims 31 and 46. Thus, Glitho fails to disclose each and every feature

of these claims for at least the same reasons. Applicant therefore requests that the Examiner withdraw the rejection of these claims.

B. REJECTIONS UNDER 35 U.S.C. § 103

1. CLAIMS 33 AND 48

The Board has affirmed the Examiner's rejection of previously pending claims 33 and 48 under 35 U.S.C. § 103 as allegedly being obvious over Glitho in view of U.S. Patent No. 6,449,603 to Hunter ("Hunter"). Applicant notes that claims 33 and 48 have been cancelled as indicated above, and therefore this rejection has been rendered moot.

2. CLAIMS 37, 44, 52, AND 58

The Board has affirmed the Examiner's rejection of previously pending claims 37, 44, 52, and 58 under 35 U.S.C. § 103 as allegedly being obvious over Glitho in view of U.S. Patent No. 6,249,755 to Yemini et al. ("Yemini"). Applicant initially notes that claims 44 and 58 have been cancelled as indicated above, and therefore the rejection has been rendered moot with respect to these claims. In addition, Applicant further notes that independent claims 31 and 46 have been amended as indicated above, and submits that Glitho and Yemini do not render obvious currently pending claims 37 and 52 for at least the reason that Glitho and Yemini, either alone or in combination, fail to disclose, teach, or suggest each and every feature of the claimed invention, as amended.

More particularly, for at least the reasons discussed above, Glitho does not disclose, teach, or suggest at least the feature of "executing one or more data mining algorithms that discover respective influences that each of the plurality of measured component parameters have on the service parameter, wherein the respective influences represent relationships between the state of the service and the plurality of network components that support the service," as recited in amended independent claims 31 and 46, for example.

Yemini fails to cure the foregoing deficiencies of Glitho for at least the reason that Yemini generally relates to a system that represents relationships between problems and symptoms in a network to determine the source of a particular problem in the network. However, analyzing relationships between various problems and symptoms in a network does

not fairly relate to “executing one or more data mining algorithms that discover respective influences that each of the plurality of measured component parameters have on the service parameter.” For example, a particular problem that occurs in a network may not necessarily have any relationship to a service that is provided over the network.

Thus, although Yemini generally describes various techniques to analyze whether certain symptoms in a network impact a particular problem, Yemini does not disclose, teach, or suggest that such analysis occurs in the specific context of discovering respective influences that various component parameters have on a service parameter that indicates “whether the service conforms to an agreed upon service level identified in a service level agreement.” For at least this reason, Yemini fails to cure the foregoing deficiencies of Glitho.

Accordingly, for at least the foregoing reasons, Glitho and Yemini, either alone or in combination, fail to disclose, teach, or suggest each and every feature of amended independent claims 31 and 46.

Claims 37 and 52 depend from and add features to one of amended independent claims 31 and 46. Thus, Glitho and Yemini, either alone or in combination, fail to disclose, teach, or suggest each and every feature of amended claims 31 and 46 for at least the foregoing reasons. Applicant therefore requests that the Examiner withdraw this rejection of the claims.

NEW CLAIMS 60-77

For at least the reasons provided in further detail above, the references relied upon, either alone or in combination, fail to disclose, teach, or suggest each and every feature of amended independent claims 31 and 46. New claims 60-77 depend from and add features to one of amended independent claims 31 and 46. Thus, newly added claims 60-77 are allowable over the references relied upon for at least the same reasons discussed in further detail above.

CONCLUSION

Having addressed each of the foregoing issues decided by the Board, it is respectfully submitted that a full and complete response has been made to the outstanding Board Decision. As such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

By:



Syed Jafar Ali
Registration No. 58,780

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
Main: 703-770-7900
Direct: 703-770-7540
Fax: 703-770-7901